



General Assembly

January Session, 2005

**Amendment**

LCO No. 8123

**\*SB0130308123SR0\***

Offered by:  
SEN. FASANO, 34<sup>th</sup> Dist.

To: Senate Bill No. 1303

File No. 525

Cal. No. 395

**"AN ACT CONCERNING THE LIS PENDENS STATUTE AND THE  
VALIDATION OF CERTAIN CONVEYANCES."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 32-9s of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective from passage*):

5 The state shall make an annual grant payment to each municipality,  
6 to each district, as defined in section 7-325, which is located in a  
7 distressed municipality, targeted investment community or enterprise  
8 zone and to each special services district created pursuant to chapter  
9 105a which is located in a distressed municipality, targeted investment  
10 community or enterprise zone in the amount of fifty per cent of the  
11 amount of that tax revenue which the municipality or district would  
12 have received except for the provisions of subdivisions (59), (60) and  
13 (70) of section 12-81. On or before the first day of August of each year,  
14 each municipality and district shall file a claim with the Secretary of  
15 the Office of Policy and Management for the amount of such grant

16 payment to which such municipality or district is entitled under this  
17 section. The claim shall be made on forms prescribed by the secretary  
18 and shall be accompanied by such supporting information as the  
19 secretary may require. Any municipality or district which neglects to  
20 transmit to the secretary such claim and supporting documentation as  
21 required by this section shall forfeit two hundred fifty dollars to the  
22 state, provided the secretary may waive such forfeiture in accordance  
23 with procedures and standards adopted by regulation in accordance  
24 with chapter 54. The secretary shall review each such claim as  
25 provided in section 12-120b. Any claimant aggrieved by the results of  
26 the secretary's review shall have the rights of appeal as set forth in  
27 section 12-120b. The secretary shall, on or before the December first  
28 next succeeding the deadline for the receipt of such claims, certify to  
29 the Comptroller the amount due under this section, including any  
30 modification of such claim made prior to December first, to each  
31 municipality or district which has made a claim under the provisions  
32 of this section. The Comptroller shall draw an order on the Treasurer  
33 on or before the following December fifteenth, and the Treasurer shall  
34 pay the amount thereof to each such municipality or district on or  
35 before the following December thirty-first. If any modification is made  
36 as the result of the provisions of this section on or after the December  
37 first following the date on which the municipality or district has  
38 provided the amount of tax revenue in question, any adjustment to the  
39 amount due to any municipality or district for the period for which  
40 such modification was made shall be made in the next payment the  
41 Treasurer shall make to such municipality or district pursuant to this  
42 section. In the fiscal year commencing July 1, 2003, and in each fiscal  
43 year thereafter, the amount of the grant payable to each municipality  
44 and district in accordance with this section shall be reduced  
45 proportionately in the event that the total amount of the grants  
46 payable to all municipalities and districts exceeds the amount  
47 appropriated. Any grant that would have been payable under this  
48 section with respect to machinery and equipment used in connection  
49 with biotechnology, as defined in subdivision (72) of section 12-81, and  
50 exempt from property tax pursuant to subdivision (60) of section 12-81

51 for the grand list of October 1, 2003, shall be paid by the Treasurer to  
52 any municipality that has granted such exemption to a person  
53 pursuant to section 12-94e and has filed a claim with respect thereto  
54 with the secretary. Such payment shall be made not later than sixty  
55 days after the filing of such claim.

56       Sec. 502. Notwithstanding the time limit set forth in subsection (d)  
57 of section 12-120b of the general statutes, any person in the town of  
58 Wallingford who failed to file a written request for a reconsideration of  
59 the decision by the Secretary of the Office of Policy and Management  
60 to modify or deny an exemption granted by the assessor of said town,  
61 under the provisions of subdivision (72) of section 12-81 of the general  
62 statutes, for the assessment year commencing October 1, 2000, may file  
63 a request for such reconsideration provided (1) such request is filed not  
64 later than thirty days after the effective date of this section, and (2) is  
65 accompanied by all documentation and information specified in the  
66 secretary's letter of modification or denial dated October 1, 2002. Said  
67 secretary shall, not later than thirty days following receipt of such  
68 person's request and the required supporting documentation and  
69 information, reconsider the decision to modify or deny said  
70 exemption, and shall send a written determination with respect thereto  
71 to such person. If aggrieved by the secretary's determination, such  
72 person may request a hearing before said secretary, in accordance with  
73 the provisions of said subdivision (d) of section 12-120b. If said  
74 secretary determines that such person is eligible for the exemption  
75 claimed for the assessment year commencing October 1, 2000, under  
76 the provisions of subdivision (72) of section 12-81 of the general  
77 statutes, said secretary shall notify such person and the assessor of the  
78 town of Wallingford of such approval and shall include  
79 reimbursement with respect thereto in the next certification said  
80 secretary makes to the Comptroller under the provisions of section 12-  
81 94b of the general statutes. If taxes have been paid on the machinery  
82 and equipment for which such exemption is approved by said  
83 secretary, the town of Wallingford shall reimburse the person who  
84 made such payment in an amount equal to the reimbursement issued

85 by the Treasurer with respect to such exempt machinery and  
86 equipment."